



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

October 23, 2003

IN REPLY PLEASE

REFER TO FILE: PD-6

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ASSIGNMENT OF CITY OF MONTEBELLO FEDERAL SURFACE
TRANSPORTATION PROGRAM FUNDS TO THE COUNTY OF LOS ANGELES
CITY OF MONTEBELLO-COUNTY COOPERATIVE AGREEMENT
SUPERVISORIAL DISTRICT 1
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and instruct the Chair of the Board to sign the enclosed agreement with the City of Montebello providing for the City to assign \$585,700 of its available Federal Surface Transportation Program funds to the County, with the County to utilize the assignment as credit toward the City's financial share of the Beverly Boulevard from Montebello Boulevard to Rea Drive (Phase III) street widening project, which is to be designed and administered by the County.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Your Board's approval of the enclosed agreement is necessary to effect the assignment of the City of Montebello's Federal Surface Transportation Program funds to the County. The City of Montebello has requested that the County accept an assignment of its available Surface Transportation Program funds as credit toward the City's financial share of the Beverly Boulevard from Montebello Boulevard to Rea Drive (Phase III) street widening project, which is entirely within the geographical boundary of the City. This project is to be designed and administered by the County.

The Los Angeles County Metropolitan Transportation Authority has procedures in effect that permit the transfer of Surface Transportation Program funds between public agencies. The approval of the enclosed agreement is required under these procedures. This assignment of funds is mutually beneficial to and in the general interest of the City and the County.

Implementation of Strategic Plan Goals

This action meets the County's Strategic Plan Goal of Service Excellence as it provides the City of Montebello with County assistance in expending its funds for the improvements of its streets for the benefit of the motoring public.

FISCAL IMPACT/FINANCING

Your Board's approval of the enclosed agreement will result in no direct fiscal impact on the County. The County will credit the City's assignment of Surface Transportation Program funds toward the City's financial share of the Beverly Boulevard from Montebello Boulevard to Rea Drive (Phase III) street widening project.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The enclosed agreement provides for the City of Montebello to assign \$585,700 of the City's available Surface Transportation Program funds to the County as a credit toward the City's financial share of the Beverly Boulevard from Montebello Boulevard to Rea Drive (Phase III) street widening project. Such assignment shall be effective upon full execution of this agreement.

ENVIRONMENTAL DOCUMENTATION

A finding of environmental impact is not required for this financial transaction.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The City's Surface Transportation Program assignment credit is intended to be utilized on the Beverly Boulevard from Montebello Boulevard to Rea Drive (Phase III) street widening project, which is to be designed and administered by the County. A separate City-County Cooperative Agreement will be processed at a later date to apply the Surface Transportation Program assignment credit toward the City's financial share on the aforementioned street improvement project.

The Honorable Board of Supervisors
October 23, 2003
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CONCLUSION

Enclosed are two copies of the agreement, which have been approved by the City and approved as to form by County Counsel. Upon approval, please return the copy marked "CITY ORIGINAL" to Public Works for processing together with one approved copy of this letter. The copy marked "COUNTY ORIGINAL" is for your files.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

MER:cr

C040606

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Enc.

cc: Chief Administrative Office
County Counsel

A G R E E M E N T A N D A S S I G N M E N T

THIS AGREEMENT AND ASSIGNMENT, made and entered into by and between the CITY OF MONTEBELLO, a municipal corporation in the County of Los Angeles, hereinafter referred to as "CITY," and the COUNTY OF LOS ANGELES, a political subdivision of the State of California, hereinafter referred to as "COUNTY":

W I T N E S S E T H

WHEREAS, CITY has Five Hundred Eighty-five Thousand Seven Hundred and 00/100 Dollars (\$585,700.00) in available Federal Surface Transportation Program (STP) funds, which CITY desires to assign to COUNTY to be utilized as credit toward its financial share of the project to improve Beverly Boulevard from Montebello Boulevard to Rea Drive (Phase III), a street widening project, within the geographical boundary of CITY; and

WHEREAS, the Los Angeles County Metropolitan Transportation Authority has procedures in effect that permit the transfer of STP funds between public agencies; and

WHEREAS, COUNTY is willing to accept the assignment of the CITY'S STP funds and to utilize the assignment as credit toward CITY'S financial share of the project to improve Beverly Boulevard from Montebello Boulevard to Rea Drive (Phase III), a street widening project within the geographical boundary of CITY, which is to be designed and administered by COUNTY.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by CITY and COUNTY and of the promises herein contained, it is hereby agreed as follows:

(1) CITY AGREES:

To assign Five Hundred Eighty-five Thousand Seven Hundred and 00/100 Dollars (\$585,700.00) of CITY'S available STP funds to COUNTY as credit toward CITY'S financial share of the project to improve Beverly Boulevard from Montebello Boulevard to Rea Drive (Phase III), a street widening project within the geographical boundary of CITY, which is to be designed and administered by COUNTY. Such assignment shall be effective upon full execution of this AGREEMENT AND ASSIGNMENT with no further action required by CITY.

(2) COUNTY AGREES:

- a. To accept CITY'S assignment of STP funds.

- b. To utilize CITY'S STP assignment as credit toward CITY'S financial share of the project to improve Beverly Boulevard from Montebello Boulevard to Rea Drive (Phase III), a street widening project within the geographical boundary of CITY, which is to be designed and administered by COUNTY.

(3) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

- a. This AGREEMENT may be amended or modified only by mutual written consent of COUNTY and CITY.
- b. The credit accorded CITY hereunder shall be for the sum actually received by COUNTY and shall not accrue interest.
- c. Any correspondence, communication, or contact concerning this AGREEMENT shall be directed to the following:

CITY:

Mr. Ted Spaseff
Director of Public Works
City of Montebello
1600 West Beverly Boulevard
Montebello, CA 90640-3970

COUNTY:

Mr. James A. Noyes
Director of Public Works
County of Los Angeles
Department of Public Works
P.O. Box 1460
Alhambra, CA 91802-1460

- d. It is understood and agreed that the provisions of Assumption of Liability Agreement No. 32070 between CITY and COUNTY, adopted by the Board of Supervisors on December 27, 1977, and currently in effect, are inapplicable to this AGREEMENT AND ASSIGNMENT.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT AND ASSIGNMENT to be executed by their respective officers, duly authorized, by the CITY OF MONTEBELLO on September 14, 2003, and by the COUNTY OF LOS ANGELES on _____, 2003.

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of
the County of Los Angeles

COUNTY OF LOS ANGELES

ATTEST:

By _____
Chair, Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By Frankie E. Scott
Deputy

CITY OF MONTEBELLO

By Kathleen Salazar
Mayor

APPROVED AS TO FORM:

By _____
City Attorney



ATTEST:

By Robert J. King
City Clerk